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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,775	10/31/2000	Gilles Kremer	PCT/FR98/623	3432

466 7590 12/03/2003

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EXAMINER

ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/530,775

Applicant(s)

Gilles, Kremer

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/10/2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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DETAILED ACTION
RESPONSE TO AMENDMENT

1. This Office action is in response to Applicant's amendment, filed on 09/10/2003.
2. Claims 31-40 have been renumbered as claims 11-20, and claims 41 or 21 is added. Accordingly, claims 11-21 are pending.

Claim Rejections - 35 USC § 102 (b)

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 (b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 11-21 are rejected under 35 U.S.C. 102 (b) as being anticipated by Jonsson, Bjorn (WO 96/00485).**

As per claims 11-16, and 18-21 Jonsson discloses an authorization for a user to use a service that is provided by a modified pager which calculates a unique response code to a transmitted challenge code based on the challenge code (which is readable as Applicant's claimed invention wherein it is stated that a method for transmission of a secured electronic message), comprising:
an operation of receiving by a data processing system, from a user, by a communication network (see., page 4, lines 24-34, col 5, lines 27-35):

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the message to be transmitted (see., page 3, lines 3-36),
an identification of the user (see., page, lines 3-36), and
an identification of a destination for said message (see., page 3, lines 3-36);
an operation of opening a communication session between a remote communication corresponding to the identification of the destination of said message, and the information processing system (see., page 12, lines 20-40, page 13, lines 1-40);
an operation of generating, by said information processing system, of a first so-called confidential information for single use, which is to that cannot be used except during said communication session (see., page 3, lines 3-10, specifically wherein it is stated that security key or confidential single use);
and during said communication session:
performing an operation of transmitting, by the information processing system, of the first confidential information from a second transmission support different from the first transmission support,
performing an operation of verifying the first confidential information, by said system of information processing, and if the first confidential information is verified, performing an operation of supplying the secured message, by the information processing system, to the remote communication corresponding to the identification of the destination of said message (see., abstract, page 5, lines 1-35, specifically wherein it is stated that comparing (comparing or verifying) the received response code).

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As per claim 17, Jonsson discloses the claimed method of characterizing in the first transmission support is a wireless support (see., page 6, lines 23, specifically cellular radio telephone or wireless).

REMARKS

5. In response to Applicant's argument, Applicant argues that the Jonsson reference fails to anticipate the claimed invention:

a. "a system in which an information processing system sends and receives the same confidential information". As indicated above, Johnson discloses this limitation in page 3, lines 3-10, specifically wherein it is stated that the personal unit includes a receiver for receiving a transmitted challenge code and an algorithm unit which processes the challenge code, a user input such as a personal identification number or electronically recognizable signature, and an internally stored security key or confidential single use for calculating a response code according to a pre-stored algorithm. The response code is then sent to the service node).

b. "Applicant also argues that the Jonsson reference does not disclose the additional transmission and second confidential information". However, the Examiner respectfully disagrees as this limitation is disclosed by Jonsson in page 7, lines 5-36, specifically wherein said secret key (secret key or second confidential information, page 5, lines 1-35).

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Conclusion

6. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

(703) 305-7687


Pierre Eddy Elisca

Patent Examiner

November 21, 2003